

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No. CR03-0298-TSZ-JPD  
v. )  
RYAN McDUFF ARCHIBALD, ) SUMMARY REPORT OF U.S.  
Defendant. ) MAGISTRATE JUDGE AS TO  
 ) ALLEGED VIOLATIONS  
 ) OF SUPERVISED RELEASE  
 )

An initial hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on April 11, 2006. The United States was represented by Assistant United States Attorney Patricia Lally, and the defendant by Mr. Walter Palmer. The proceedings were recorded on cassette tape.

The defendant had been charged and convicted of Conspiracy to Distribute Marijuana in violation of 21 U.S.C. § 841(b)(1)(C). On or about January 23, 2004, defendant was sentenced by the Honorable Thomas S. Zilly to a term of twenty-four (24) months imprisonment, followed by three (3) years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, substance-abuse and mental-health treatment participation, consent to search, and financial disclosure.

In a Petition for Warrant or Summons dated March 9, 2006, U.S. Probation Officer Brian K. Facklam asserted the following violations by defendant of the conditions of his

**REPORT AND RECOMMENDATION OF  
U.S. MAGISTRATE JUDGE AS TO ALLEGED  
VIOLATIONS OF SUPERVISED RELEASE**

01 supervised release:

02 (1) Using cocaine on or before February 20, 2006, in violation of standard  
03 condition number 7.

04 (2) Failing to appear for drug testing as summoned on October 7 and November  
05 16, 2005, and January 3 and February 23, 2006, in violation of a special condition ordering  
06 him to report for drug testing as instructed.

07 (3) Failing to submit monthly reports for September, October, November, and  
08 December of 2005, and January of 2006, in violation of standard condition number 2.

09 The defendant was advised of the allegations, and advised of his rights. Defendant  
10 admitted to the violations, and waived any rights to an evidentiary hearing as to whether they  
11 occurred.

12 I therefore recommend that the Court find the defendant to have violated the terms  
13 and conditions of his supervised release as to violations 1, 2, and 3, and that the Court  
14 conduct a hearing limited to disposition. A disposition hearing has been set before the  
15 Honorable Thomas S. Zilly on April 27, 2006, at 11:30 a.m.

16 Pending a final determination by the Court, the defendant has been released, subject  
17 to continued supervision.

18 DATED this 11th day of April, 2006.



19  
20 JAMES P. DONOHUE  
21 United States Magistrate Judge  
22  
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cc: District Judge: Honorable Thomas S. Zilly  
AUSA: Ms. Patricia Lally  
Defendant's attorney: Mr. Walter Palmer  
Probation officer: Mr. Brian Facklam